

**Statement of Gerri L. Hall, President, Operation Lifesaver, Inc.
for the
Hearing on Reauthorization of the Railroad Safety Act
Subcommittee on Surface Transportation & Merchant Marine
U.S. Senate Committee on Commerce, Science and Transportation
Wednesday, February 25, 1998, 2:00 PM**

Chairwoman Hutchison, thank you for inviting me to testify at this hearing in preparation for reauthorization of the Railroad Safety Act. I am President of Operation Lifesaver, Inc., the national support center for a nationwide, nonprofit public information and education program dedicated to eliminating deaths and injuries at America's highway-rail grade crossings and along railroad rights-of-way. Operation Lifesaver's work is key to further improvement in railroad safety. Highway-rail grade crossing and trespass incidents account for 90 percent of all railroad-related deaths.

My prepared remarks will begin with a progress report on the safety organization you helped initiate at the grassroots level almost 25 years ago. Today's Operation Lifesaver is working better, smarter and more effectively than ever. With your help, we are confident that we can win this important safety race. I will close my remarks with recommendations that will help us accomplish this goal.

In 1997, Operation Lifesaver celebrated its 25th Anniversary as a vibrant and growing international safety organization. The status of Operation Lifesaver as we enter our next quarter century can be summarized from three perspectives: 1) The Structure - as reflected by the activities of the Board of Directors, the Program Development Council and the Operation Lifesaver, Inc., national office; 2) The Organization - as indicated by the activities of OL's state coordinators, presenters, partners and participants and by international interest in the program; and 3) The Impact - as illustrated by the press and public awareness events carried out throughout the year and by ever improving safety statistics in the area of highway-rail grade crossing safety.

1. OPERATION LIFESAVER - INTERNAL STRUCTURE

The strength and focus of Operation Lifesaver's internal structures continued to increase in 1997.

The Board of Directors The year began with a two-day strategic planning retreat in Chicago for the Operation Lifesaver (OL) President and Board of Directors, a pro-active and dedicated group intent on thinking "out of the box" about the future of the organization and how Operation Lifesaver, Inc., can better accomplish its lifesaving goals. The Board met again in May and November, ultimately approving sleek new By-Laws, which more accurately reflect the scope and maturity of the organization. Also during the year, the Board adopted a more business-like and aggressive approach toward the financial well-being of the national program. As we begin 1998, the Board is preparing to launch an extensive outreach process to develop a five-year public awareness and education campaign for Operation Lifesaver as it enters the 21st Century.

The Program Development Council OLI's 33-member Program Development Council (PDC) includes State Coordinators, representatives of Class I, regional and shortline railroads, national transportation and safety groups, the highway-rail engineering community, rail labor unions, state and local law enforcement agencies, the National Transportation Safety Board (NTSB), the Federal Railroad Administration (FRA), and the Federal Highway Administration (FHWA). The PDC conducted three successful and well-attended meetings in 1997, each marked by ever-increasing emphasis on creating, refining, focusing on and setting priorities around clear Committee mission statements that will help Operation Lifesaver and its individual state programs meet goals more effectively and efficiently. Briefly summarized, the PDC's six committees were active in the following areas in 1997:

I. EDUCATION — Mission Statement: "The OLI/PDC Education Committee shall determine the educational needs, develop training standards and certification guidelines, monitor standards and guidelines, develop educational materials, and establish an efficient nationwide distribution system for educational materials for Operation Lifesaver, Inc."

- With the hiring of a new Education and Certification Director, the PDC Education Committee was able to embark upon a complete and critical review of all Operation Lifesaver training procedures and public education materials, with revisions anticipated prior to the 1998 International Symposium. The training modules for *Physics 101* and *Why Wait?* both were updated in 1997 as a result of this process. In addition, a new school bus drivers presentation was created, with the help of the OL state programs in Region IV, for distribution nationwide.
- A new category of volunteer, called "Associate", was created to encourage continued involvement by individuals who are unwilling or unable to serve as certified public speaker/presenters for Operation Lifesaver.
- Review and approval standards and procedures were established for all new or renewed materials bearing the Operation Lifesaver logo nationwide.
- Regional efforts to more effectively reach logging and lowbed truck operators, all-terrain vehicle (ATV) and snowmobile enthusiasts and sportsmen were tested, with guidelines to be prepared for national implementation.
- Operation Lifesaver involvement as a key element of the July 1997 International Boy Scout Jamboree's Railroad Pavilion, which was attended by 30,000 Scouts. A total of 15 OL Presenters worked the event, awarding the new Railroading Merit Badge to 1,539 of the 2,400 scouts who received an OL Presentation and passed a test on highway-rail grade crossing safety and trespass prevention. This event heralded the beginning of a round of OL educational initiatives aimed at young people through popular national organizations such as the Boy Scouts, the Girl Scouts and the 4-H Clubs of America. In addition, a model Student Speaker Contest format, based on successful programs conducted annually in Idaho and Louisiana, was finalized and approved for state OL program use.

II. ENFORCEMENT — Mission Statement: “To achieve Operation Lifesaver’s objectives, the Enforcement Committee shall identify and develop appropriate methods and programs to educate, train, and establish on-going communications with all segments of the law enforcement community.”

- The Enforcement Committee, strengthened its base by adding ad hoc members from a broad spectrum of key players within the law enforcement community. As a result the Committee was able to increase its impact as a forum and clearinghouse for promoting consistent enforcement of highway-rail grade crossing safety and trespass laws across the country.
- A key accomplishment of the Committee was its role in gaining agreement with regard to the need for standardized criteria for the wide variety of Grade Crossing Collision Investigation Courses currently being offered by many railroads and state Operation Lifesaver programs across the country.

III. ENGINEERING — Mission Statement: “The Engineering Committee shall review OL materials and programs with regard to engineering matters and shall maintain ongoing communications with all segments of the highway-rail engineering community.”

- The Engineering Committee in 1997 began to evolve from its traditional, but limited, role as the reviewer of all educational materials for engineering accuracy. The new vision of the Committee is to become a much more pro-active clearinghouse and source of innovative engineering concepts related to grade crossing safety and trespass prevention.
- The Committee is especially enthusiastic about its preparation of a half-day session for the 1998 International Operation Lifesaver Symposium featuring presentations of new concepts from the best and brightest highway-rail engineers in the United States and Europe.

IV. PUBLIC RELATIONS — Mission Statement: “The Public Relations Committee shall develop a plan to educate the public and promote general awareness of Operation Lifesaver.”

- The ability of the Public Relations Committee to develop long-term plans has been seriously hampered by a shortage of ongoing public relations expertise as a result of railroad mergers and cutbacks in their PR personnel and travel budgets.
- The primary accomplishment of the Committee in 1997, in cooperation with OLI’s Communications Vice President, was creation of a theme logo (“You’re Our Living Proof!”) and the planning and delivery of a national public relations agenda for the 25th Anniversary of Operation Lifesaver beginning with the Operation Lifesaver Awareness Day in May and ending with the close of the last of the 8 OL Regional Workshops in October.

- As 1997 drew to a close the emerging focus of the Committee was to find ways to better communicate information about critical PDC issues and activities to the OL partners, especially the railroads.

V. STATES ASSISTANCE— Mission Statement: “The States Assistance Committee shall develop a program to assist state Operation Lifesaver organizations and State Coordinators in identifying customer needs, expanding programs and organizational structures, and providing appropriate information, resources, and assistance as requested by state organizations.”

- In 1997, Operation Lifesaver awarded 30 states and two regions nearly \$320,000 in States Assistance Grants for 43 projects worth almost \$500,000. The States Assistance Committee establishes criteria for the grants and selects a review team to consider applications and make the awards.
- The States Assistance Committee was instrumental in developing a popular menu of workshop topics and potential speakers for the 8 OL Regional Workshops. In addition, the Committee endorsed and OLI provided advanced speaker training for OL Presenters for any Regional Workshop that requested such a session.
- As state OL programs strive to become more professional in their approach, the development of benchmark State Coordinator/State Program Standards has become a Committee priority.
- 1997 saw the initiation of regional “customer satisfaction” conference calls to all State Coordinators by PDC representatives. This quarterly round of conference calls, in which there is regular participation by the State Coordinator representative on the OLI Board of Directors, has been successfully used to identify several problem areas needing State Assistance Committee attention.
- Collecting “Best Practices” and “How-To” information from the 49 state OL programs continues to be an elusive goal of the Committee. We are discovering that State Coordinators are almost too busy “doing” to explain “how-to”!

VI. TRESPASS PREVENTION — Mission Statement: “The Trespass Committee shall develop and implement a model trespass prevention program that utilizes education, engineering and enforcement through partnerships with public and private organizations to eliminate trespassing on the nation’s railroads which results in needless deaths and injuries.”

- Riding the crest of an alarming new wave of trespass fatalities and injuries, in 1997 an international Operation Lifesaver Task Force Team including participants from both the Education and Trespass Committees of the PDC developed and finalized a new Trespass Prevention Presentation and new flip charts; a Model Community Guide on Trespass Prevention for State Coordinators, which is being tested in Salem, OR, where trespass incidents are reaching double digits annually; and the new “Myths and Realities” trespass brochure and bookmark.

- The States of Missouri and Illinois used an OLI/FRA States Assistance Grant to produce *Byron's Last Day*, a new trespass prevention video for urban youth.
- Preliminary 1997 statistics indicate an alarming 14 percent increase in trespass incidents on railroad rights-of-way. This has served to confirm the PDC's sense of urgency toward this issue. Operation Lifesaver anticipates that final statistics for trespass deaths and injuries in 1997 will surpass grade crossing incidents for the first time. The frustration of this Committee and the PDC is that our personnel and our educational tools are ready, but state Operation Lifesaver programs lack the timely statistics and demographic information necessary to identify the source(s) of the trespassing problem. I will discuss this problem further in the recommendations at the conclusion of my statement.

Operation Lifesaver, Incorporated Two major events occurred at the headquarters office in 1997. First, a new, permanent Education and Certification Director was hired, bringing the total staff complement to five, and freeing the Vice President for Communications to return her focus to OLI's public awareness and media relations efforts. Also, OLI's headquarters office nearly doubled in square footage. The additional space increases administrative efficiency by allowing onsite storage of educational materials and OLI archives. Also, it provides a small office which can be used by an OL intern or part-time detailee, such as the law enforcement officer currently working with the FRA. Purchase of storage cabinets, a laptop computer and additional network computer capacity, installation of Windows95, and telephone system and answering machine upgrades also are improving OLI's quality of service to the state programs and the general public.

Throughout the year, the national office responded to thousands of requests for materials and assistance from OL partners and participants; national, state and local transportation and safety organizations; the general public and the media. A total of 15,000 Operation Lifesaver 25th Anniversary Calendars were distributed; requests from individual teachers and schools for thousands of OL coloring books and bookmarks were filled; more than 2,300 orders for video training modules, including *The Responsibility is Ours* (school bus drivers), *Physics 101* (professional truck drivers), *Why Wait?* (drivers education), and *They Shouldn't Die This Way* (emergency responders) — were shipped. Hundreds more orders for Operation Lifesaver brochures, videos, coloring books and other educational materials were filled by our three approved vendors.

2. OPERATION LIFESAVER - THE ORGANIZATION

The growing professionalism and capability of the Operation Lifesaver organization is evident in the activities of its state coordinators, presenters, partners and participants, and in the international interest shown in the program.

State Programs/State Coordinators At the end of 1997, Operation Lifesaver programs were active in 49 states. A record-breaking total of 44 out of 49 state programs voluntarily had submitted complete 1996 State Annual Reports. Twenty-six of Operation Lifesaver's 49 state programs had been incorporated as 501(c)(3) tax exempt, non-profit organizations, with several

more in process. Operation Lifesaver gained a glimpse of its very bright future during the December 1997 State Coordinator Orientation, which was attended by eleven of our newest, liveliest state OL leaders. (Thirty of OL's 49 State Coordinators have attended the three-day State Coordinator Orientation sessions at OLI headquarters over the past three years.)

More than 50 nationally-recognized transportation and safety groups, in addition to FRA and FHWA, were identified as active and supportive Operation Lifesaver partners at the state and local level. By year's end, 2,521 OL Presenters had been trained, certified, and entered into OLI's national data base. A total of 186 Level II Trainers, under the watchful eye of 9 Level III Master Trainers across the nation were ready to prepare additional Presenters as needed by state programs. According to the 1996 Annual State Reports, OL Presenters personally delivered a minimum of 25,000 grade crossing safety and trespass prevention presentations to nearly 2,000,000 people in 1996, a number which surely was surpassed in 1997.

Regional Workshops. Between June and October of 1997, eight of our state coordinators fine-tuned their conference management and organizational skills by hosting OL Regional Workshops in Post Falls, Idaho; Cedar Rapids, IA; Providence, RI; Baltimore, MD; St. Paul, MN; Baton Rouge, LA; Nashville, TN; and Park City, UT. The 25th Anniversary celebrations were launched near Operation Lifesaver's Idaho source with a special train, hosted personally by Union Pacific President Jerry Davis and former UP employee and OL founder Ed Schafer.

By year's end, an astonishing total of 825 people had attended one of OL Regional Workshops. Not so surprising was the generally high quality of the sessions at each event. Post-workshop evaluations indicate that participants believed their attendance at the workshops was worthwhile. This bodes well for anticipated attendance at the 10th International Operation Lifesaver Symposium — *On the Inside Track to Safety* — which will take place in Indianapolis, Indiana, July 12th through 15th, 1998!

Operation Lifesaver International. — Operation Lifesaver, Inc., has become truly international in scope. Canada Operation Lifesaver, which recently celebrated its 16th Anniversary, has long based its grade-crossing safety program on the U.S. model. (Interestingly, Canada, which has a population one-tenth that of the United States, boasts of an OL Presenter base of about 250, which is about one-tenth of the United States Presenter total!) In 1997, in recognition of similar trespass and grade-crossing problems through out North America, a representative of the Canadian OL program participated in the Trespass Prevention Task to develop new materials addressing those concerns. In addition, Canada became a full-fledged participant on OLI's Program Development Council.

In addition to Canada's involvement, OLI has worked with BNSF Argentina to translate appropriate materials for that country's use. Inquiries from other Argentinian railroads and interested parties from Peru were referred to BNSF Argentina with the suggestion that they might band together to form a South American version of Operation Lifesaver. Later in the year, thanks to OLI's website (<http://www.oli.org/oli/>), a high-ranking transportation delegation from Russia asked the Federal Highway Administration to arrange their visit to OLI headquarters to discuss our grassroots approach to highway-rail grade crossing safety and trespass prevention. Also, OLI

was invited to introduce the Operation Lifesaver concept to two Japanese railroad/emergency responder groups visiting the Fairfax County Police and Fire Academy.

3. OPERATION LIFESAVER - THE IMPACT

One of the most exciting growth areas for Operation Lifesaver in 1997 was its increasing ability to reach the public with its safety message by attracting national media attention, prime time, in major markets. The most rewarding indicator of the impact of Operation Lifesaver and its partners, however, is the continual improvement in highway-rail grade crossing safety. We wish the same could be said of railroad trespass trends.

National Media Contact In 1997, Operation Lifesaver's national coverage benefitted from segments aired on Fox News Network, NBC Mutual Radio, *ABC Today*, *Real TV*, *Hard Copy*, *Dateline NBC* and The Discovery Channel. Throughout the year, OLI was involved in the development of stories for television, radio and major newspapers in all eight regions across the country. *Reader's Digest* spent the latter half of the year preparing a headline article on highway-rail grade crossing safety for their January 1998 publication. Many other news organizations, including *The Wall Street Journal*, *U.S. News and World Report*, United Press International and Scripps Howard News Service all received story assistance from OLI.

Operation Lifesaver Awareness Day — Highways or Dieways National Kick-off The morning of May 14th, OL Awareness Day, marked the official national launch of the Public Service Announcement (PSA) campaign, *Highways or Dieways: The Choice is Yours*, produced by Operation Lifesaver with the Association of American Railroads (AAR). Joining me for the *Highways or Dieways* press conference were U.S. DOT Secretary Rodney Slater, NTSB Chairman Jim Hall, Amtrak President Tom Downs, Brotherhood of Railroad Signalmen President Dan Pickett, U.S. Congressman Spencer Baucus (R-AL), U.S. Senator Mike DeWine (R-OH), Federal Railroad Administrator Jolene Molitoris, National Highway Traffic Safety Administrator Ricardo Martinez, and Astrid Harvey, the mother of a little boy who died when his babysitter took him for a walk along the railroad tracks in California.

An estimated 47 million Americans heard the Operation Lifesaver message on OL Day. By the end of 1997, at least the first round of three *Highways or Dieways* PSAs had been initiated in 13 of 16 priority, or "Tier I states" and most of the 33 Tier II states. Another 50 million Americans are believed to have heard about Operation Lifesaver and its safety message as a result of media events staged by state OL programs in conjunction with their *Highways or Dieways* kick-off events. This brought national coverage of Operation Lifesaver's message to a total of nearly 100 million viewers during 1997. A recent poll by the AAR found that 36 percent of the respondents had seen or heard of the campaign, with the highest recognition in the Midwest and South where more states have launched the PSAs.

Operation Lifesaver Awareness Day— Joe Diffie, Country Music Ambassador Another special part of OL Day was the participation of Country Music Award winner Joe Diffie and his band, Heartbreak Highway, in the evening Congressional Appreciation Awards Reception to honor Reps. Spencer Baucus, Frank Wolf (R-VA), and Senator Mike DeWine. Sony Music became the

newest OL partner by producing, at no cost to OL, 1,000 *Highways or Dieways*-related radio PSAs featuring Diffie and fellow artist James Bonamy, and 200 Joe Diffie/Operation Lifesaver safety billboards which OLI distributed nationwide. (Our personal favorite is the 20 foot by 48 foot monster board on US 95 just outside New York City!) Sony has agreed to produce more of the popular radio PSAs for use in 1998. On a side note, Sony's graphics artists have become more safety conscious through Diffie's involvement with OL, and recently rejected a CD cover featuring people in unsafe activities near railroad tracks.

Highway-Rail Grade Crossing Safety Statistics Twenty-five years ago when Operation Lifesaver began outside of Coeur d'Alene, ID, there were almost 12,000 vehicle/train collisions annually. Early FRA predictions indicate the number of collisions at highway-rail grade crossings has dropped by 68 percent to around 3,800 collisions in 1997. The reduction in collisions between 1995 and 1996 was nearly 16 percent. Early predictions by the FRA indicate a 11 percent decrease in vehicle/train collisions in 1997.

The FHWA credits Operation Lifesaver with helping to prevent 10,000 deaths and 40,000 injuries since 1972. During the past ten years alone, grade crossing collisions have been reduced by more than one-third. At the same time, the number of registered motor vehicles across the nation has increased by almost 20 percent and the number of freight and passenger train miles traveled has increased by more than 20 percent. Against all odds, Operation Lifesaver and its partners appear to be winning this safety race.

Our efforts would be more consistent if our state coordinators could receive more timely and complete information from FRA on the location and circumstances of vehicle/train collisions, and the demographics of drivers who are involved in these incidents. Operation Lifesaver's resources are limited; we need to be able to quickly and clearly identify priority corridors and communities and to target problem audiences so we can focus our efforts more effectively and efficiently. I will discuss this further in my closing remarks.

Trespass Statistics Operation Lifesaver's primary focus traditionally has been to improve safety at highway-rail grade crossings. A secondary theme, especially with young people, has been to discourage unsafe behavior around trains. The basic Operation Lifesaver presentation has always included a remarks cautioning pedestrians to stay clear of the tracks, to stay out of railroad tunnels, to resist the temptation to play on railroad cars or equipment, and to avoid walking, hunting or fishing from railroad trestles or bridges. We explain that walking or playing on railroad property or rights-of-way is trespassing. It is dangerous. It is illegal and can lead to arrest.

In recent years, Operation Lifesaver realized a more aggressive approach was needed to buck a disturbing trend with regard to railroad trespassing incidents. Preliminary FRA statistics indicate a 14 percent increase in trespasser fatalities between 1996 and 1997. For the first time, trespass fatalities are expected to exceed highway-grade crossing fatalities.

I am proud that Operation Lifesaver's Program Development Council was vigilant and far-sighted enough to prepare new educational materials and tools for communities to use to address this unfortunate trend. I am sorry to report that our good educational tools will be of little use unless

Operation Lifesaver's state programs can receive, on a timely basis, the critical demographic and locational information they need to target their resources more effectively. In addition, convincing the public that trespassing on railroad property should be taken seriously likely will require the enactment of stronger railroad trespass legislation in many states, along with meaningful law enforcement to back it.

RECOMMENDATIONS

Operation Lifesaver's recommendations to the Subcommittee are straightforward, but not necessarily easily accomplished.

First, I would encourage you to urge Congress to continue to support the efforts of Operation Lifesaver and its partners, even as highway-rail grade crossing statistics improve. As both highway and railroad traffic increase, the risks at highway-rail grade crossings increase. We cannot afford to rest on our past success. If anything, we need to work even harder on the highway-rail grade crossing safety front to continue to make safety gains. And we have barely begun to address the growing problems related to railroad trespass prevention.

Second, states need to be encouraged to enact, and law enforcers to aggressively implement, meaningful railroad trespass laws, based on the *Model State Railroad Trespass and Vandalism Bills* published by the U.S. DOT on April 30, 1997. A recent survey of Operation Lifesaver State Coordinators found penalties ranging from \$5 to \$2,500 for trespassing on railroad property, with many in the inconsequential range. In half of the states polled, local police must have written permission from a railroad before they can issue a fine or arrest someone they find trespassing on railroad property.

Third, effective action needs to be taken to discourage the promotion of romanticized images of dangerous railroad trespassing activities. We need to find a way to put a damper on websites that actively encourage unsuspecting young people to engage in illegal and dangerous activities on railroad property. Recently, Operation Lifesaver discovered a stylish "hobo" site inviting teenagers to audition — at a specified time and location on a Class I railroad — for roles in an upcoming documentary they wanted to produce on train hopping. In this case, railroad police had enough information to take definitive action. In most cases our ability to act is limited.

Advertisers and film producers need to be similarly dissuaded. A current American Express television ad features Tiger Woods walking down the tracks. The young students of Madison High School in East St. Louis who starred in our new trespass prevention video, *Byron's Last Day*, were horrified to see their idol setting such a terrible example, but the ad continues to play despite their protestations. The cover of the Spring 1998 Lionel Classic Trains catalog, distributed to a mailing list of 250,000 model railroad fans, shows a small boy playing with his toy railcar while standing between the tracks of an active railroad line. Lionel's marketing people insist that we are overreacting to "a visual interpretation of . . . an adult's retrospective fantasy of their own youth". To many of Operation Lifesaver's Presenters who are locomotive engineers Lionel's cover picture represents the image that could be burned into their memory as they round

the next corner and frantically throw their train into emergency braking to attempt, futilely, to avoid certain tragedy.

Finally, states and railroads should be required to report to the FRA, on a timely basis, complete and accurate information on highway-rail grade crossing and trespass incidents, including vital demographic information on the motorists or pedestrians involved in these events. In turn, FRA must find a way to process and provide critically important information to Operation Lifesaver State Coordinators and their safety partners as quickly as possible in a form that will allow them to target their safety efforts quickly and effectively.

In closing, Operation Lifesaver, its State programs, presenters and partners have made great strides in improving highway-rail grade crossing safety over the past 25 years. We believe we have the dedication, the personnel and the educational tools we need to make Operation Lifesaver the first safety organization in American history to accomplish its mission and perhaps even put itself out of business. With your help, Operation Lifesaver and its partners look forward to the continued support of Congress, along with the enforcement power and information we need to get the job done. It is the most important thing that we can do for railroad safety.